

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re : **Chapter 13**

LESLIE E. THOMAS, :
Debtor. : **Case No. 07-16445(JKF)**

LESLIE E. THOMAS, :
Plaintiff, :
v. :
WELLS FARGO BANK, N.A. et al., : **Adversary No. 08-0030**

Defendants. :

ORDER

AND NOW, this 16th day of October, 2008, upon consideration of the Motion to Dismiss ("Motion) by Wells Fargo Bank, N.A., as successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for Home Equity Loan Asset-Backed Certificates, Series 2002-1 ("Wells Fargo") and after hearing with notice and for the reasons set forth in the Opinion dated October 14, 2008, in the above-captioned adversary proceeding, it is hereby **ORDERED** and **DECREED** that:

1. The Motion is **GRANTED IN PART** and **DENIED IN PART**.
2. Count III of the Complaint is dismissed in its entirety.

3. Counts IV and VI of the Complaint are dismissed as against Wells Fargo only.



JEAN K. FITZSIMON
United States Bankruptcy Judge

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